The claims remaining in the present application are Claims 1-20. Claims 1, 3, 7, 14, and 20 have been amended. No new matter has been added.

CLAIM REJECTIONS

35 U.S.C. §102

In paragraph 1, Claims 1-20 are rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent Application Publication 2003/0051186 by Boudnik et al. (referred to hereinafter as "Boudnik"). This rejection is respectfully traversed.

Currently amended independent Claim 1 recites, "A computer implemented method of automatic software testing comprising:

storing status information of a software test running on a test system to a common information point;

reinstalling an operating system on said test system;

querying said common information point to determine said status information; and

resuming said software test." (emphasis added)

Applicant respectfully asserts that Boudnik fails to teach or suggest, "reinstalling an operating system on said test system," as recited by Claim 1. The instant application, e.g., 10/685,990, teaches "reinstalling an operating

system on said test system" in the second paragraph of page 12 among other places. In contrast Boudnik teaches restoring execution of an application program after interruption in a distributed processing framework.

The Rejection states at the bottom of page 8, "Boudnik clearly discloses 'reinitializing an operating system on said test system' in page 1, section 0009, fig. 8, unit 802." Applicant respectfully disagrees with the Rejection. Boudnik states in paragraph 0009,

> Broadly speaking, the present invention fills these needs by providing an ability to restore remote test execution from the point of interruption. As a result, a user can restart the execution of a test suite from the point where a crash has occurred. In one embodiment, a system for <u>restoring execution of an application program</u> after interruption in a distributed processing framework is disclosed. The system includes a post mortem object that stores point of execution information for <u>an application program</u>. The point of execution information is periodically updated to reflect a current point of execution within <u>the application</u> program at a time of the update. In addition, the system includes an agent process that executes on a processing resource, such as a test system. The agent process is capable of utilizing the post mortem object to <u>reinitialize the application program</u> to begin execution from a position described by the point of execution information. (emphasis added)

Note, there is no mention of an operating system in paragraph 0009.

Therefore, Boudnik does not teach or suggest "reinstalling an operating system on said test system" in paragraph 0009.

Concerning the Rejections statement that 802 depicted in FIG. 8 of Boudnik teaches reinstalling an operating system, paragraph 0080 of Boudnik states,

> In an initial operation 802, preprocess operations are performed. Preprocess operations can include <u>sending a test execution requests, selecting an agent to perform the test execution requests based on the attributes of the related test system, launching the test harness, and other preprocess operations that will be apparent to those skilled in the art</u>. (emphasis added).

Note, that Boudnik does not teach or suggest that the initial operation 802 is "reinstalling an operating system on said test system," as Claim 1 recites.

Reinstalling an operating system is significantly different from reinitializing an application. Reinitializing an application, as Boudnik teaches, may involve simply modifying some variables that the application accesses whereas reinstalling an operating system is significantly more complex.

For the foregoing reasons, Claim 1 is respectfully believed to be patentable over Boudnik and Applicant respectfully requests allowance of Claim 1. Further, the claims that depend on Claim 1 also recite features which further make these dependent claims patentable over Boudnik. For example, Claim 7 recites "said test system is running a different operating system subsequent to said reinstalling than said test system was running prior to said reinstalling." Note Boudnik does not teach anything about different operating systems or reinstalling operating systems let alone "...running a different operating system subsequent to said reinstalling..." Claims 2-7 depend from Claim 1, which is respectfully believed to be allowable for reasons discussed herein. Therefore Claims 2-7 are believed to be allowable by virtue of their dependencies.

Independent Claim 8 recites, "A computer implemented method of automatic software testing comprising:

installing test driver software on a plurality of test systems;

providing a mapping of a plurality of virtual test system names to real test system names to said test driver software; and

gathering test results from said plurality of test systems."

Applicant respectfully asserts that Bournik does not teach or suggest, "providing a mapping of a plurality of virtual test system names to real test system names to said test driver software," as recited by Claim 8.

Although Boudnik teaches the use of a Java virtual machine, Boudnik does not teach "providing a mapping of a plurality of virtual test system names to real test system names to said test driver software," as recited by Claim 8. Boudnik only teaches the use of one virtual machine, a Java virtual machine. Therefore Boudnik cannot teach "providing a mapping of a plurality of virtual test system names to real test system names to said test driver software," as recited by Claim 8.

The Rejection states on page 9, "Boudnik clearly discloses 'providing a mapping of a plurality of virtual test system names to real test system names to test driver software' in fig. 4, unit 400, 506, 410, fig. 2, unit 116, fig. 6, fig. 8, unit 804." However, referring to paragraph 0065, Boudnik states "The test configuration 400 includes a test suite comprising a test list 402 having a plurality of individual tests 404." Referring to paragraph 0070, Boudnik states, "...the test execution information 506 includes the current point of execution within the suite." Referring to paragraph 0066, Boudnik states, "tests 404 that pass are listed in a tests pass file 406, while tests 404 that fail are listed in tests fail file 410." Referring to paragraph 0054, Boudnik states, "As shown, an inqueue directory 116 contains a plurality of test execution requests 116a, 116b and 116c." Referring to paragraph 0081, Boudnik states, "In operation 804, the test harness starts the test suite." Clearly, neither 400, 506, 410, 116, or 804 say anything about a virtual

machine let alone teach or suggest "providing a mapping of a plurality of virtual test system names to real test system names to said test driver software," as Claim 8 recites.

For the foregoing reasons, Claim 8 is respectfully believed to be patentable over Boudnik and Applicant respectfully requests allowance of Claim 8. Claims 9-13 depend from Claim 8, which is respectfully believed to be allowable for reasons discussed herein. Therefore Claims 9-13 are believed to be allowable by virtue of their dependencies.

Independent Claim 14 should be patentable over Boudnik for similar reasons that independent Claim 1 should be patentable over Boudnik. Further, claims that depend on Claim 14 recite further features which additionally make the dependent claims patentable. For example, Claim 20 recites, "said at least one of said plurality of test computer systems is running a different operating system subsequent to said reinstalling than said at least one of said plurality of test computer systems was running prior to said reinstalling." Note Boudnik does not teach anything about different operating systems or reinstalling operating systems let alone "...running a different operating system subsequent to said reinstalling..." Claims 15-20 depend from Claim 14, which is respectfully believed to be allowable for reasons discussed herein. Therefore Claims 15-20 are believed to be allowable by virtue of their dependencies.

## CONCLUSION

In light of the above listed amendments and remarks, reconsideration of the rejected claims is requestsed. Based on the arguments and amendments presented above, it is respectfully submitted that Claims 1-20 overcome the rejections of record. For reasons discussed herein, Applicant respectfully requests that Claims 1-20 be considered be the Examiner. Therefore, allowance of Claims 1-20 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicant invites the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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Dated: _11/10/_, 2005

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